IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 22ND OCTOBER 2007 / 30TH ASWINA 1929

Crl.Rev.Pet.No. 2946 of 2004(C)

CRA.873/2002 of ADDL.SESSIONS JUDGE(ADHOC-II), ERNAKULAM
CC.572/1999 of ADDL.CHIEF JUDICIAL MAGISTRATE (E & O), ERNAKULAM

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REVN. PETITIONER: APPELLANT/ACCUSED

K.N.RAJAN, KOOTHUPARAMBIL, KUZHOOR P.O., THALAYOLAPARAMBU.

BY ADV. SRI.MATHEW ABRAHAM

RESPONDENTS: RESPONDENT/COMPLAINANT

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1. M/S. BENHUR TRADES AND INVESTMENTS (P) LTD., MAS BUILDINGS, ERNAKULAM REP.BY ITS AUTHORISED OFFICER AND POWER OF ATTORNEY HOLDER, SRI.N.P.ACHUTHAN, S/O. LATE KRISHNA WARRIER, M/S. BENHUR TRADES AND INVESTMENT (P) LTD., MAS BUILDINGS, ERNAKULAM NORTH.

2. STATE OF KERALA, REPRESENTED BY THE PUBLIC PROSECUTOR.

BY ADV. SRI.S.RAJEEV FOR R1
PUBLIC PROSECUTOR SRI.K.S.SIVAKUMAR

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 22/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Crl. R.P. No. 2946 OF 2004 C

Dated this the 22nd day of October, 2007

O R D E R

The revision petitioner, who was the accused in C.C.No.572/1999 on the file of the Additional CJM(E.O.), Ernakulam for an offence punishable under section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the trial court for the said offence.

2. Pending this revision, the parties have settled the matter and have filed Crl.M.A.No.10890/2007 under section 147 of the Act for recording the composition entered into by them. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. The composition is recorded and it will have the effect of an acquittal within the meaning of section 320(8) Cr.P.C. Money, if any, paid by the revision petitioner pursuant to orders passed by the lower appellate court shall be refunded to the revision petitioner.

This revision petition is disposed of as above.

(V. RAMKUMAR, JUDGE)

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